

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte*: STEVEV C. SHANKS and KEVIN B. TUCEK

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Application 10/612,504  
Technology Center 3700

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Mailed: March 03, 2009

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Before ZELE, KRISTA, Deputy Chief Appeals Administrator.  
ZELE, Deputy Chief Appeals Administrator.

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on December 15, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing:

SUPPLEMENTAL APPEAL BRIEF

Application No. 10/612,504

Appellant(s) filed a SUPPLEMENTAL APPEAL BRIEF dated September 23, 2008 and September 23, 2008. There is no indication on the record that the Examiner has considered the above documents.

### CONCLUSION

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Accordingly, it is

ORDERED that the application is returned to Examiner:

1) consider the Supplemental Appeal Brief filed September 23, 2008 as required; and

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

KZ/jgr

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